IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

CIVIL APPLICATION NO. 2357 OF 2007
IN
WRIT PETITION NO. 10198 OF 2004

Union Bank of India.... Petitioner

versus

Abdulgani Abdul Rehman Atlaswala
and others ..... Respondent.

Mr. Chirag Baltare i/b. N.I. Bakali for the petitioners.
Mr. S.M. Vyas for Respondent no.1.

CORAM; A.P. DESHPANDE, J.
DATED; 08TH OCTOBER, 2007

P.C.;

1. By the present application, the petitioner, Union Bank of India, which is a nationalised bank, is seeking extension of time to vacate the premises. Under the Consent Terms filed by the parties in this Court, the petitioner had agreed to pay a sum of Rs.1,52,178/- per month for the period commencing from 1-1-2007 to 30-6-2007. It was also agreed that by 30-6-2007 the applicant bank would vacate the premises. The applicant has failed to vacate the premises as agreed. By making an exception, this Court by an order dated 22-6-2007 had extended the time to vacate the premises upto 31-8-2007. By the

present application a further extention is sought till 31-12-2007. The learned counsel appearing for the respondent, on instructions from his client, agree for extension of time till 31-12-2007, subject to the applicant agreeing for payment of compensation/mense profit at the rate of Rs.2,00,000/- per month with effect from 1-7-2007 till the time the applicant vacates the premises which shall not be later than 31-12-2007. The learned counsel for the applicant bank is also agreeable for payment of a sum of Rs.2,00,000/- per month from 1-7-2007 till the applicant vacates the premises, which shall not be later than 31-12-2007.

2. In view of the agreed terms referred to hereinabove, Civil Application is allowed. Time to vacate is extended till 31-12-2007 subject to the condition that the applicant shall pay Rs.2,00,000/- per month from 1-7-2007 till it vacates the premises which shall not be later than 31-12-2007. C.A. is disposed of.

....